

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**GREGORY HIGGS,**

**Plaintiff,**

**-against-**

**COLUMBIA UNIVERSITY, JAMES CONLON,  
BRIAN TESSEYMAN, TERRY BURDICK, and  
JOHN MUROLO,**

**Defendants.**

**Docket No.: 05 Civ. 2642 (DCF)**

**NOTICE OF MOTION**

**PLEASE TAKE NOTICE**, that upon the Declaration of Mark A. Hernandez, dated March 7, 2008 and the exhibits attached thereto, the Affidavit of James Conlon sworn to on March 6, 2008, the Declaration of Michael T. McGrath dated March 6, 2008, the Defendant's Statement of Undisputed Facts Pursuant to Local Rule 56.1 and the Memorandum of Law in Support of Defendants' Motion for Summary Judgment and prior proceedings had herein, Defendants, Trustees of Columbia University in the City of New York, James Conlon, Brian Tesseyman, Terry Burdick and John Murolo will move this Court on April 25, 2008, or on a date convenient for the Court, at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., New York, NY 10007, for an order pursuant to Rule 56(c) of the Federal Rules of Civil Procedure granting Defendants' Motion for Summary Judgment and dismissing Plaintiff's Second Amended Complaint in its entirety, together with such other and further relief as may be just and proper.

**PLEASE TAKE FURTHER NOTICE** that opposition papers, if any, are to be served upon the undersigned on or before April 4, 2008.

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested on this motion.

Dated: New York, New York  
March 7, 2008

**PUTNEY, TWOMBLY, HALL & HIRSON LLP**

/s/ MAH

Michael T. McGrath (MM 3038)

Mark A. Hernandez (MH 4753)

M. Christopher Moon (MM 3169)

*Attorneys for Defendants*

*Columbia University, James Conlon, Brian Tesseyman,  
John Murolo and Terry Burdick*

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